

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

In re:

**DALESON ENTERPRISE, LLC,
d/b/a JONES COUNTY REST HOME
Debtor**

**CASE NO. 05-50095
CHAPTER 11**

**MOTION FOR RECONSIDERATION AND TO ALTER
ORDER APPROVING ADDENDUM**

COME NOW Certain Underwriters Subscribing to Policy No. LNH2003066 (“Underwriters”), pursuant to the applicable Rules of Bankruptcy Procedure, including but not limited to Rule 7052, Rule 8002, Rule 9023 and Rule 9024, and file this Motion for Reconsideration and to Alter Order Approving the Addendum to First Amended Disclosure Statement with Respect to First Amended Plan of Reorganization Combined with a Notice of Hearing (“Motion to Alter Order”), and in support would show as follows:

1. On December 28, 2006, Debtor filed an Addendum to First Amended Disclosure Statement with Respect to First Amended Plan of Reorganization [Docket No. 330]

(“Addendum”).

2. On January 4, 2007, this Court entered is Order Approving the Addendum to First Amended Disclosure Statement with Respect to First Amended Plan of Reorganization Combined with a Notice of Hearing [Docket No. 332] (“Order Approving Addendum”).

3. The Addendum contains several errors with respect to Underwriters’ policies, including the following:

a) The second listed policy on page 2 of the Addendum contains the following errors:

i) The Coverage Period should be *October 7, 2002 to October 7, 2003*, instead of August 30, 2002 to August 30, 2003;

- ii) Under the Coverage column, it should read \$500,000 per *claim*, instead of per occurrence;
- b) The third listed policy on page 2 of the Addendum contains the following errors:
 - i) The Coverage Period should be ***October 7, 2003 to October 7, 2004***, instead of August 30, 2003 to August 30, 2004;
 - ii) The Policy No. should be ***LNH2003066***, instead of LNH2001099;
 - iii) Under the Coverage column, it should read \$500,000 per *claim*, instead of per occurrence;
 - iv) Under the Premium column, the premium should be listed as ***\$360,100***, instead of \$360,000.

WHEREFORE, Underwriters respectfully request that this Court grant this Motion to Alter Order for the reasons described above and to amend its January 4, 2007 Order to correct the errors to the Addendum as set forth in items a) and b) of paragraph 3 above. And Underwriters pray for general relief.

DATED this the 5th day of January, 2007.

Respectfully submitted,

**CERTAIN UNDERWRITERS SUBSCRIBING
TO POLICY NO. LNH2003066**

By its attorneys
**BENNETT LOTTERHOS SULSER
& WILSON, P.A.**

By: /s/ Marcus M. Wilson

Marcus M. Wilson
Mississippi Bar Number 7308
BENNETT LOTTERHOS SULSER & WILSON, P.A.
One Jackson Place, Suite 1400
188 East Capitol Street (39201)
Post Office Box 98
Jackson, Mississippi 39205-0098
Telephone: (601) 944-0466
Facsimile: (601) 944-0467
mwilson@blswlaw.com

CERTIFICATE OF SERVICE

I, Marcus M. Wilson, do hereby certify that I have this day served, via United States Mail, postage prepaid, a true and correct copy of the foregoing on the following:

Derek A. Henderson, Esquire
111 East Capitol Street, Suite 455
Jackson, Mississippi 39201

Vincent E. Nowak
Mullin Hoard & Brown, LLP
800 Amarillo National Plaza Two
500 South Taylor
Amarillo, Texas 79120-1656

Mr. Larry N. Fortenberry
Daleson Enterprises, LLC
Post Office Box 345
Sumrall, Mississippi 39482

Ronald H. McAlpin, Esquire
Assistant U.S. Trustee
Dr. A. H. McCoy Federal Building
100 West Capitol Street, Suite 706
Jackson, Mississippi 39269

James E. Wade, III
Wilkes & McHugh
One North Dale Mabry Highway
Suite 800 – Tampa Commons
Tampa, Florida 33609

This the 5th day of January, 2007.

/s/ Marcus M. Wilson